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13 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

14 STATE OF CALIFORNIA

15 In the Matter of

) FPPC No: 07/378

) AG No: SD2007801361

17)
18 JANET NGUYEN AND FRIENDS OF JANET)
NGUYEN 2007)

) STIPULATION, DECISION and
ORDER

19)
20 Respondents.)
21)

22 This stipulation is being presented as a result of a joint investigation and prosecution by the
23 Attorney General's office and the Fair Political Practices Commission (the "Commission"). The
24 Commission has authority to issue this decision and order as to Counts One and Two of this stipulation,
25 which are violations of the Political Reform Act.

26 COUNTS ONE AND TWO

27 Complainant Michael B. Salerno, Executive Director of the Fair Political Practices Commission,
28 and Respondents Janet Nguyen and Friends of Janet Nguyen 2007 agree that this stipulation will be

submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Section 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

It is further stipulated and agreed that Respondents Janet Nguyen and Friends of Janet Nguyen 2007 violated the Political Reform Act by failing to deposit three contributions related to her election in her campaign committee bank account in violation of Section 85201, subdivision (c) of the Government Code (2 counts), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

Respondents agree to the issuance of the decision and order, which is attached hereto. Respondents also agree to the Commission imposing upon them an administrative penalty in the amount of Two Thousand Five Hundred Dollars (\$2,500). A cashier's check from Respondents in said amount, made payable to the "General Fund of the State of California," is submitted with this stipulation as full payment of the administrative penalty, to be held by the State of California until the Commission issues its decision and order regarding this matter. The parties agree that in the event the Commission refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondents in connection with this stipulation shall be reimbursed to Respondents. Respondents further stipulate and agree that in the event the Commission rejects the stipulation, and a full evidentiary hearing before the

Commission becomes necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this stipulation.

Dated: _____

Michael B. Salerno, Executive Director
Fair Political Practices Commission

Dated: _____

Janet Nguyen, Respondent, individually and on behalf
Friends of Janet Nguyen 2007

DECISION AND ORDER

The foregoing stipulation of the parties “In the Matter of Janet Nguyen, FPPC No. 07/378,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Ross Johnson, Chairman
Fair Political Practices Commission

COUNTS THREE THROUGH SEVEN

Complainant Gary W. Schons, Senior Assistant Attorney General, on behalf of California's Attorney General Edmund G. Brown Jr., and acting in the stead of the Orange County District Attorney, and Respondents Janet Nguyen and Friends of Janet Nguyen 2007 agree to enter into this stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding a trial to determine the liability of Respondents, pursuant to Section 1-6-16, subdivision (a) of the Orange County Campaign Reform Ordinance.

In addition, it is stipulated and agreed that Respondents Janet Nguyen and Friends of Janet Nguyen 2007 violated the Orange County Campaign Reform Ordinance by receiving contributions in excess of the local contribution limits, in violation of Orange County Campaign Reform Ordinance Section 1-6-5, subdivision (a) (3 counts), not timely returning the contributions within seven days, in violation of Orange County Campaign Reform Ordinance Section 1-6-30 (1 count), and not timely filing notice of the contributions' return, in violation of Orange County Campaign Reform Ordinance Section 1-6-30 (1 count), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

Respondents agree to the issuance of the decision and order, which is attached hereto. In addition, Respondents agree to pay a penalty in the amount of Two Thousand Five Hundred Dollars (\$2,500) to the "General Fund of Orange County" with this stipulation as full payment of the penalty.

Dated: _____

Gary W. Schons, Senior Assistant Attorney General,
On behalf of Edmund G. Brown, Jr., Attorney General

Dated: _____

Janet Nguyen, Respondent, individually
and on behalf Friends of Janet Nguyen 2007

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of Janet Nguyen, FPPC No. 07/378,”
3 including all attached exhibits, is hereby accepted as the final decision and order of the Attorney
4 General, Edmund G. Brown, Jr., effective upon execution below by his representative, Gary W. Schons.

5
6 IT IS SO ORDERED.

7
8 Dated: _____

9 Gary W. Schons,
Senior Assistant Attorney General

10 For Edmund G. Brown, Jr.
11 Attorney General
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